Phillip A. Patten, et al. Attorney Docket No.: 0269us410

Application No.: 10/848,827

Filed: May 19, 2004

Preliminary Amendment and Response to Restriction

page 2 of 8

**Listing of Claims:** 

The following listing of claims replaces all prior versions and listings of claims in the application. Additions are indicated by <u>underlining</u> and deletions are indicated by <u>strikethrough</u>-or by [[double brackets]].

1. (Currently Amended) An isolated or recombinant polypeptide comprising a sequence which differs in 0 to 16 amino acid positions from a sequence selected from SEQ ID NO:3,the sequence of SEQ ID NO:12, SEQ ID NO:47, SEQ ID NO:53, SEQ ID NO:1, SEQ ID NO:8, SEQ ID NO:2, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:9, SEQ ID NO:10, SEQ ID NO:11, SEQ ID NO:13, SEQ ID NO:14, and SEQ ID NO:15, which polypeptide exhibits an interferon-alpha activity, wherein the interferon activity is an antiviral activity.

2. - 4. (Canceled)

- 5. (Currently Amended) The polypeptide of claim[[ 4]]\_1, comprising a sequence which differs from SEQ ID NO:12 in 0 to 8 amino acid positions.
- 6. (Original) The polypeptide of claim 1, wherein the antiviral activity of the polypeptide is equal to or greater than the antiviral activity of huIFN-alpha 2b or huIFN-alpha 2a.
- 7. (Original) The polypeptide of claim 6, wherein the antiviral activity of the polypeptide is at least two-fold greater than the antiviral activity of huIFN-alpha 2b or huIFN-alpha 2a.

Phillip A. Patten, et al. Attorney Docket No.: 0269us410

Application No.: 10/848,827

Filed: May 19, 2004

Preliminary Amendment and Response to Restriction

page 3 of 8

8. (Currently Amended) The polypeptide of claim 1, wherein the polypeptide <u>further</u> exhibits <u>an interferon-alpha antiproliferative activity and wherein the</u>[[a]] ratio of antiviral activity/antiproliferative activity <u>is</u> at least two-fold greater than the ratio of antiviral activity/antiproliferative activity exhibited by huIFN-alpha 2b or huIFN-alpha 2a.

- 9. (Original) The polypeptide of claim 8, wherein the polypeptide exhibits a ratio of antiviral/antiproliferative activity at least four-fold greater than the ratio of antiviral activity/antiproliferative activity exhibited by huIFN-alpha 2b or huIFN-alpha 2a.
- 10. (Currently Amended) A conjugate comprising
  - (a) the polypeptide of claim 1; and
- (b) a non-polypeptide moiety covalently attached to the polypeptide, wherein the conjugate exhibits an interferon-alpha activity, wherein the interferon activity is an antiviral activity.
- 11. (Original) The conjugate of claim 10, comprising at least two non-polypeptide moieties.
- 12. (Currently Amended) The conjugate of claim [[10]]18, comprising a non-polypeptide polyethylene glycol moiety covalently attached to a cysteine residue.
- 13. (Currently Amended) The conjugate of claim [[10]]18, comprising a non-polypeptide polyethylene glycol moiety covalently attached to a lysine residue or to the N-terminal amino group.
- 14. (Currently Amended) The conjugate of claim [[10]]18, comprising a non-polypeptide polyethylene glycol moiety covalently attached to a lysine residue.
- 15. (Currently Amended) The conjugate of claim [[10]]18, comprising a non-polypeptide polyethylene glycol moiety attached to the N-terminal amino group.

Attorney Docket No.: 0269us410 Phillip A. Patten, et al. Application No.: 10/848,827 Filed: May 19, 2004 Preliminary Amendment and Response to Restriction page 4 of 8 (Currently Amended) The conjugate of claim [[10]]18, comprising a non-polypeptide 16. polyethylene glycol moiety attached to a lysine residue and a non polypeptide polyethylene glycol moiety attached to the N-terminal amino group. (Original) The conjugate of claim 10, wherein the non-polypeptide moiety is a polymer. 17. (Original) The conjugate of claim 17, wherein the polymer is a polyethylene glycol. 18. (Currently Withdrawn) The conjugate of claim 10, wherein the non-polypeptide moiety is a 19. sugar. (Currently Withdrawn) The conjugate of claim 19, wherein the sugar is attached to an N-20. glycosylation site. (Original) A composition comprising the polypeptide of claim 1 and a pharmaceutically 21. acceptable excipient. (Original) A composition comprising the conjugate of claim 10 and a pharmaceutically 22. acceptable excipient. 23. – 31. (Canceled) (Currently Amended) A method for preparing a conjugate, the method comprising 32. (i) providing the polypeptide of claim 1, and (ii) attaching at least one non-polypeptide moiety to an attachment group of the polypeptide,

wherein the resulting conjugate exhibits an interferon-alpha activity, wherein the interferon activity

is an antiviral activity.

Attorney Docket No.: 0269us410 Phillip A. Patten, et al. Application No.: 10/848,827 Filed: May 19, 2004 Preliminary Amendment and Response to Restriction page 5 of 8 33. – 36. (Canceled) (New) The method of claim 32, wherein the non-polypeptide moiety is a polymer. 37. 38. (New) The method of claim 37, wherein the polymer is a polyethylene glycol. (New) The method of claim 38, wherein the attachment group is a cysteine residue. 39. (New) The method of claim 38, wherein the attachment group is a lysine residue or the N-40. terminal amino group. (New) The method of claim 38, wherein the attachment group is a lysine residue. 41. 42. (New) The method of claim 38, wherein the attachment group is the N-terminal amino group. (New) The method of claim 38, wherein at least two polyethylene glycol moieties are 43. attached to the polypeptide and wherein each polyethylene glycol moiety is covalently attached to a different amino acid residue of the polypeptide. (New) The method of claim 43, wherein the at least two polyethylene glycol moieties are 44. attached to different lysine residues. (New) The method of claim 43, wherein one of the at least two polyethylene glycol moieties 45. is attached to the N-terminal amino group and one of the at least two polyethylene glycol moieties is attached to a lysine residue.